

FEB 11 2014

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

JULIA Q. DUDLEY, CLERK  
BY: *M. H. K.*  
DEPUTY CLERK

UNITED STATES OF AMERICA	)	Criminal Action No. 4:09-cr-00024-1
	)	Criminal Action No. 4:10-cr-00008-1
	)	
v.	)	<b><u>ORDER</u></b>
	)	
DOUGLAS A. PANNELL, JR., Petitioner.	)	By: Hon. Jackson L. Kiser Senior United States District Judge

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

**ORDERED**

that Petitioner's Rule 60 motion is **CONSTRUED** as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, and is **DISMISSED without prejudice** as successive; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk shall send a copy of this Order and the accompanying Memorandum Opinion to Petitioner and counsel of record for the United States.

ENTER: This 11<sup>th</sup> day of February, 2014.

*Jackson L. Kiser*  
Senior United States District Judge